

Mark E. Crosby
President

July 1, 2003

Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Re: *Ex Parte* Notice – WT Docket No. 02-55

Dear Ms. Dortch:

On May 29, 2003, the 800 MHz User Coalition (“Coalition”) submitted a written *ex parte* presentation in the above-referenced proceeding. Representing a broad cross-section of affected spectrum users, the Coalition provided recommended solutions to the current interference problem afflicting some 800 MHz public safety and private licensees. As noted in that original filing, it was expected that several additional parties would soon join the Coalition. By this letter, Access Spectrum, LLC (“Access Spectrum”) now informs the FCC that it has joined the Coalition and supports this alternative proposal to the self-styled “Consensus Plan” currently being considered by the Commission.

Access Spectrum believes the Coalition’s well-crafted “Balanced Approach” proposal best meets the Commission’s guiding principle in this docket: the identification of practical solutions that resolve in the most expeditious manner the potential for interference consistent with minimal disruption to incumbent licensees. The Balanced Approach proposal is fully consistent with the positions previously expressed by Access Spectrum throughout this proceeding. By addressing interference specifically where it does (or is likely to) occur, the Coalition’s comprehensive proposal is more effective and efficient, and less costly and disruptive, than the elaborate proposal of the Consensus Parties. Moreover, the Balanced Approach proposal avoids imposing a radical and disruptive nationwide reallocation scheme on 800 MHz licensees, and instead recognizes and accounts for the vast differences in the 800 MHz spectrum environment that exist from community to community. Finally, unlike the Consensus Parties’ unnecessary and legally questionable 700 MHz, 900 MHz and 1.9 GHz “spectrum exchange” proposals, the Balanced Approach proposal avoids rewarding any one individual licensee or class of licensees with a spectrum windfall. This important benefit of the Balanced Approach proposal was highlighted in a June 27, 2003, *ex parte* notification filed by the Coalition.



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This Notice is being filed pursuant to Section 1.1206 of the Commission's Rules. If there are any questions concerning this matter, please do not hesitate to contact me.

Sincerely,

/S/ Mark E. Crosby
Mark E. Crosby

cc: Chairman Michael K. Powell
Commissioner Kathleen Q. Abernathy
Commissioner Michael J. Copps
Commissioner Kevin J. Martin
Commissioner Jonathan S. Adelstein
John Muleta
Ed Thomas
Bryan Tramont
Jennifer Manner
Paul Margie
Sam Feder
Barry Ohlson

